

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EDWARD PINDER,

Petitioner,

Case Number: 4:12-CV-15527

v.

HONORABLE GERSHWIN A. DRAIN

LINDA TRIBLEY,

Respondent.

ORDER OF DISMISSAL WITHOUT PREJUDICE

This is a habeas case under 28 U.S.C. § 2254. Petitioner Edward Pinder is a state inmate incarcerated at the Ojibway Correctional Facility in Marenisco, Michigan. He filed a *pro se* habeas corpus petition. The Court issued an Order to Correct Deficiency because Petitioner failed to submit either the \$5.00 filing fee or a certified trust account statement for the 6-month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1914(a); 28 U.S.C. § 1915. The Court ordered Petitioner to correct the deficiency within twenty-one days and cautioned that failure to do so could result in dismissal of the petition. Petitioner has not corrected the deficiency and the time for doing so has expired.

Accordingly, the petition for a writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE**.

Petitioner's Motion to Appoint Counsel [#5] is MOOT.

/s/Gershwin A Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

DATED: March 6, 2013